

FILED

SEP 4 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID DAVIS and PAGE GEARHART-DAVIS
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CLEARLAKE, CA 95422
(916) 868-5720

IN THE UNITED STATES DISTRICT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID DAVIS and PAGE GEARHART-DAVIS,

Plaintiff,

vs.

CLEARLAKE POLICE DEPARTMENT,

Defendant

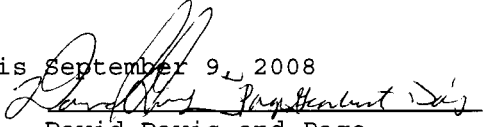
) Case No.: C 07-03365 EDL

)
) DECLARATION OF DAVID DAVIS AND PAGE
) GEARHART-DAVIS

We, David Davis and Page Gearhart-Davis, swear under the penalty of perjury the following:

1. True and correct copies of ALL the Exhibits filed with the Plaintiff(s) David Davis and Page Gearhart-Davis Opposition to Defendant(s) Motion for Summary Judgment, or in Alternative, Partial Summary Judgment.
2. Plaintiff(s) and Defendant(s) council spoke after court on August 12, 2008 in which Plaintiff(s) offered to call DMV regarding Defendant(s) questions about Plaintiff Page Gearhart-Davis' DMV print out which shows she had a valid license in which Defendant refused.
3. Defendant(s) dispatch record check from August 3, 2006 clearly shows that Defendant(s) did not run a dispatch record check on Plaintiff Page Gearhart-Davis in the state of California.
4. Plaintiff left message for Defendant(s) counsel after speaking in which calls were not returned as the Federal Rules clearly state that you are suppose to speak in person or by phone NOT through written letters.

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2 Dated this September 9, 2008

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4 David Davis and Page
5 Gearhart-Davis
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